

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

DONALD FITZGERALD

PLAINTIFF

VS.

CIVIL NO. 1229E

DOUGLAS R. PIPER

AND

BETTY PIPER, HIS WIFE

AND

THE TOWN OF EMMITSBURG

DEFENDANTS

\* \* \* \* \*

LINE

A Motion for Summary Judgment was filed in this matter, by Plaintiff, with supporting affidavit and documents.

Defendant Town of Emmitsburg, after a substantial consensual delay while surveys were conducted, filed a Line on or about April 22, 1987, indicating it did not oppose such Motion for Summary Judgment.

Defendant Douglas R. Piper failed to respond after proper service, and on December 16, 1985, an Order of Default was entered against him.

Defendant Betty S. Piper filed an Answer on or about May 19, 1986, but did not file an Affidavit, nor in any way controvert the Motion for Summary Judgment.

By informal communication with said Defendant's counsel, (W. Jerome Offutt), counsel for Plaintiff was advised said Defendant was having a survey conducted to determine whether or not she would oppose Plaintiff's claims.

Counsel for Plaintiff has regularly and repeatedly asked for status reports on

CHANCERY CLERK

BY: \_\_\_\_\_